

# **Plaintiffs' Exhibit 170**

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**From:** [REDACTED] </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A0AEFE6EB27547C1A50BDC8A5CBECCF5-ERNG>  
**To:** [REDACTED]  
**CC:** [REDACTED]  
**Sent:** 7/12/2021 4:36:38 PM  
**Subject:** RE: CMS: SEP - Agency of Record  
**Attachments:** CMS\_AOR-Resolute\_Letter\_071221.pdf

Just got your email (4 hour delay). See attached – signed.

[REDACTED]  
Division of Campaign Management (DCM)  
Strategic Marketing Group (SMG), Office of Communications (OC)  
Centers for Medicare & Medicaid Services (CMS)  
7500 Security Boulevard, Mailstop: S1-13-05  
Baltimore, MD 21244  
[REDACTED]

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**From:** [REDACTED]  
**Sent:** Monday, July 12, 2021 12:04 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** CMS: SEP - Agency of Record

Hi [REDACTED] –

Similar to the Initiative AOR letter, we are requesting one for Resolute (approved sub-contractor on the SEP and OE9 and a Weber Shandwick company). This allows them to negotiate and buy on behalf of CMS (all based on approved media plans). Can you sign the attached? We'd like to have on hand as we place the AA local market heavy up buy for this week.

Thanks so much

[REDACTED]  
733 10<sup>th</sup> Street NW  
Washington, DC 20001  
[webershandwick.com](http://webershandwick.com)



Ad Age Agency A-List (2020)  
Ad Age Best Place to Work (2019)  
Campaign US PR Agency of the Year (2020)  
PRovoke Global Agency of the Decade (2020)  
PRWeek Purpose Agency of the Year (2020)

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**LETTER OF AGENCY**

July 12, 2021

To whom it may concern:

Centers for Medicare & Medicaid Services (also referred to as CMS), the "Company", agrees that all buy orders placed by Resolute Digital LLC ("Agency") on behalf of Company are deemed to have been booked directly by Company, in care of Agency. Accordingly, Company assumes the sole and full liability for each applicable buy order until funds specifically intended to pay in full for such buy orders have cleared to Agency.

Very truly yours,

